

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA  
MINNEAPOLIS DIVISION**

In re: **Timothy John Peters**  
**Renee Mary Peters**

Case No. **18-41882**CHAPTER 13 PLAN ☒ Modified **Month 35**

Debtor.

Dated: **4/26/2021***In a joint case, debtor means debtors in this plan.*

**Part 1. NOTICE OF NONSTANDARD PLAN PROVISIONS, SECURED CLAIM LIMITATIONS, AND LIEN OR SECURITY INTEREST AVOIDANCE: Debtor must check the appropriate boxes below to state whether or not the plan includes each of the following items:**

1.1	A limit on the amount of a secured claim based on a valuation of the collateral for the claim, set out in Parts 9 or 17	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.2	Avoidance of a security interest or lien, set out in Part 17	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
1.3	Nonstandard provisions, set out in Part 17	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included

**Part 2. DEBTOR'S PAYMENTS TO TRUSTEE:**

2.1	As of the date of this plan, the debtor has paid the trustee <u><b>\$16,150.00</b></u> .
2.2	After the date of this plan, the debtor will pay the trustee <u><b>\$475.00</b></u> per month for <u><b>6</b></u> months beginning in <u><b>May</b></u> (mo.) of <u><b>2021</b></u> (yr.) for a total of <u><b>\$2,850.00</b></u> . The initial plan payment is due not later than 30 days after the order for relief.
2.3	The minimum plan length is <input checked="" type="checkbox"/> 36 months or <input type="checkbox"/> 60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.
2.4	The debtor will also pay the trustee
2.5	The debtor will pay the trustee a total of <u><b>\$19,000.00</b></u> [lines 2.1 + 2.2 + 2.4].

**Part 3. PAYMENTS BY TRUSTEE:**

The Trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or **\$1,900.00** [line 2.5 x .10]

**Part 4. ADEQUATE PROTECTION PAYMENTS (§ 1326(a)(1)(C)):**

The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

	Creditor	Monthly payment	Number of payments	Total payments
	TOTAL			<b>\$0.00</b>

**Part 5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES (§ 365):**

The debtor assumes the following executory contracts or unexpired leases. Debtor will pay directly to creditors all payments that come due after the date the petition was filed. Cure provisions, if any, are set forth in Part 8.

	Creditor	Description of Property
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**Part 6. CLAIMS NOT IN DEFAULT:**

Payments on the following claims are current and the debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens, if any.

	Creditor	Description of property
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**Part 7. HOME MORTGAGES IN DEFAULT (§§ 1322(b)(5) AND 1322(e)):**

The trustee will cure payment defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens. **All following entries are estimates.** The trustee will pay the actual amounts of default.

	Creditor	Amount of default	Monthly payment	Beginning in month #	Number of payments	Total payments
TOTAL						<b>\$0.00</b>

**Part 8. CLAIMS IN DEFAULT (§§ 1322(b)(3) AND (5) AND § 1322(e)):**

The trustee will cure payment defaults on the following claims as set forth below. The debtor will pay directly to creditors all payments that come due after the date the petition was filed. The creditors will retain liens, if any. **All following entries are estimates, except for interest rate.**

	Creditor	Amount of default	Interest rate (if any)	Monthly payment	Beginning in month #	Number of payments	Total payments
8.1	<b>US Bank Home Mortgage</b>	<b>\$8,643.00</b>	<b>0.00%</b>	<b>\$431.00</b>	<b>35</b>	<b>5</b>	<b>*\$8,643.00</b>
			<b>0.00%</b>	<b>\$411.43</b>	<b>40</b>	<b>1</b>	
TOTAL							<b>\$8,643.00</b>

\*Paid US Bank Home Mortgage: \$6,076.57

**Part 9. SECURED CLAIMS SUBJECT TO MODIFICATION ("CRAMDOW") PURSUANT TO § 506 (§ 1325(a)(5)) (secured claim amounts in this Part control over any contrary amounts except for secured claims of governmental units):**

The trustee will pay, on account of the following allowed secured claims, the amount set forth in the "Total Payments" column below. Unless otherwise specified in Part 17, the creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor's discharge, and if this case is dismissed or converted without completion of the plan, such liens shall also be retained by such holders to the extent recognized by applicable nonbankruptcy law. **Notwithstanding a creditor's proof of claim filed before or after confirmation, the amount listed in this Part as a creditor's secured claim binds the creditor pursuant to 11 U.S.C. § 1327 and confirmation of the plan is a determination of the creditor's allowed secured claim.** For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with FRBP 3012(c) controls over any contrary amount.

	Creditor / Claim amount	Secured claim	Int. rate	Beginning in month #	Monthly payment	x Num of pmts.	= Plan pmts.	+ Adq. Pro. from Part 4	= Total payments
TOTAL									<b>\$0.00</b>

Local Form 3015-1 (05/19)

**Part 10. SECURED CLAIMS EXCLUDED FROM § 506 AND NOT SUBJECT TO MODIFICATION ("CRAMDOW") (§ 1325(a)) (910 vehicles and other things of value) (allowed secured claim controls over any contrary amount):**

The trustee will pay in full the amount of the following allowed secured claims. **All following entries are estimates, except for interest rate.** The creditors will retain liens. Unmodified 910 claims not in default are addressed in Part 6. Unmodified 910 claims in default are addressed in Part 8.

	Creditor	Claim amount	Int. rate	Beginning in month #	Monthly payment	x Num of pmts	= Plan payments	+ Adq. Pro. from Part 4	= Total payments
TOTAL									<b>\$0.00</b>

**Part 11. PRIORITY CLAIMS (not including claims under Part 12):**

The trustee will pay in full all claims entitled to priority under § 507(a)(2) through (a)(10), including the following. **The amounts listed are estimates.** The trustee will pay the amounts actually allowed.

	Creditor	Estimated Claim	Monthly payment	Beginning in month #	Number of payments	Total payments
11.1	Internal Revenue Service	<b>\$4,060.00</b>	<b>Pro-Rata</b>	<b>Pro-Rata</b>	<b>Pro-Rata</b>	<b>*\$4,060.00</b>
11.2	Law Offices of Curtis K. Walker	<b>\$3,000.00</b>				<b>*\$3,000.00</b>
11.3	Minnesota Department of Revenue	<b>\$0.00</b>	<b>Pro-Rata</b>	<b>Pro-Rata</b>	<b>Pro-Rata</b>	<b>\$0.00</b>
TOTAL						<b>\$7,060.00</b>

\*Paid Internal Revenue Service: \$4,060.00

\*Paid Law Offices of Curtis K. Walker: \$3,000.00

**Part 12. DOMESTIC SUPPORT OBLIGATION CLAIMS:**

The trustee will pay in full all domestic support obligation claims entitled to priority under § 507(a)(1), including the following. **The amounts listed are estimates.** The trustee will pay the amounts actually allowed.

	Creditor	Estimated Claim	Monthly payment	Beginning in month #	Number of payments	Total payments
TOTAL						<b>\$0.00</b>

**Part 13. SEPARATE CLASSES OF UNSECURED CLAIMS:**

In addition to the class of unsecured claims specified in Part 14, there shall be separate classes of non-priority unsecured claims described as follows:

The trustee will pay the allowed claims of the following creditors. **All entries below are estimates.**

	Creditor	Estimated claim	Interest rate (if any)	Monthly payment	Beginning in month #	Number of payments	Total payments
TOTAL							<b>\$0.00</b>

**Part 14. TIMELY FILED UNSECURED CLAIMS:**

The trustee will pay holders of non-priority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under Parts 3, 7, 8, 9, 10, 11, 12 and 13 their pro rata share of approximately **\$1,397.00** [line 2.5 minus totals in Parts 3, 7, 8, 9, 10, 11, 12 and 13].

14.1	The debtor estimates that the total unsecured claims held by creditors listed in Part 9 are <b>\$0.00</b>
14.2	The debtor estimates that the debtor's total unsecured claims (excluding those in Parts 9 and 13) are <b>\$101,192.00</b>
14.3	Total estimated unsecured claims are <b>\$101,192.00</b> [lines 14.1 + 14.2]

**Part 15. TARDILY-FILED UNSECURED CLAIMS:**

All money paid by the debtor to the trustee under Part 2, but not distributed by the trustee under Parts 3, 4, 7, 8, 9, 10, 11, 12, 13 and 14, will be paid to holders of allowed nonpriority unsecured claims for which proofs of claim were tardily filed.

**Part 16. SURRENDER OF COLLATERAL AND REQUEST FOR TERMINATION OF STAY:**

The debtor has surrendered or will surrender the following property to the creditor. The debtor requests that the stays under §§ 362(a) and 1301(a) be terminated as to the surrendered collateral upon confirmation of the plan.

	Creditor	Description of property (including complete legal description of real property)
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**Part 17. NONSTANDARD PROVISIONS:**

The Trustee may distribute additional sums not expressly provided for herein at the trustee's discretion. Any nonstandard provisions, as defined in FRBP 3015(c), must be in this Part. Any nonstandard provision placed elsewhere in the plan is void. Any request by the debtor to modify a claim secured only by a security interest in real property that is the debtor's principal residence must be listed in this Part and the debtor must bring a motion to determine the value of the secured claim pursuant to Local Rule 3012-1(a).

17.1	<b><u>Secured claims paid as unsecured unless otherwise provided</u></b> Claims filed as secured but for which the plan makes no express provision shall be paid as unsecured as set forth in Parts 14 and 15 of the Plan.
17.2	<b><u>Tax refunds</u></b> The debtor(s) shall be entitled to the first \$1200 for an individual chapter 13 debtor and \$2,000 for married chapter 13 debtors of each year's tax refunds. The balance shall be paid to the trustee as an additional plan payment. Any Earned Income Credit and Minnesota Working Family Credits shall be retained by the debtor(s). The debtors shall keep these credits in addition to the \$1,200 or \$2,000.
17.3	<b><u>1305 claims</u></b> Pursuant to 11 U.S.C. § 1305(a)(1) claims for postpetition income taxes due to the Internal Revenue Service (IRS) for the year in which the case was filed are to be included in the plan and paid by the trustee. The trustee shall pay these claims only if the IRS files a proof of claim within one year of commencement of the case.
17.4	<b><u>Property taxes paid directly by debtor(s) outside of plan</u></b> The debtor(s) or their mortgage servicer may pay property taxes directly to the county taxing authority when the property taxes become due.

**SUMMARY OF PAYMENTS:**

Class of payment	Amount to be paid
Payments by trustee [Part 3]	<b>\$1,900.00</b>
Home mortgages in default [Part 7]	<b>\$0.00</b>
Claims in default [Part 8]	<b>\$8,643.00</b>
Secured claims subject to modification (cramdown) pursuant to § 506 [Part 9]	<b>\$0.00</b>
Secured claims excluded from § 506 [Part 10]	<b>\$0.00</b>
Priority claims [Part 11]	<b>\$7,060.00</b>
Domestic support obligation claims [Part 12]	<b>\$0.00</b>
Separate classes of unsecured claims [Part 13]	<b>\$0.00</b>
Timely filed unsecured claims [Part 14]	<b>\$1,397.00</b>
<b>TOTAL (must equal line 2.5)</b>	<b>\$19,000.00</b>

Certification regarding nonstandard provisions:

I certify that this plan contains no nonstandard provision except as placed in Part 17.

Signed:

**/s/ Andrew C. Walker**

Attorney for debtor or debtor if pro se

Debtor 1 signed:

**/s/ Timothy John Peters**

Debtor 2 signed (if joint case):

**/s/ Renee Mary Peters**

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF MINNESOTA**

In re:

Case No. 18-41882

SIGNATURE DECLARATION

- ☐ PETITION, SCHEDULES & STATEMENTS  
☐ CHAPTER 13 PLAN  
☐ VOLUNTARY CONVERSION, SCHEDULES & STATEMENTS  
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
☒ MODIFIED CHAPTER 13 PLAN  
☐ OTHER: PLEASE DESCRIBE: \_\_\_\_\_

I [WE], the undersigned debtor(s) or authorized representative of the debtor make the following declarations under penalty of perjury.

1. The information I have given my attorney for the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- 2 The Social Security Number or Tax Identification Number I have given to my attorney for entry into the court's Case Management/Electronic Case Filing (CM/ECF) system as a part of the electronic commencement of the above-referenced case is true and correct;
3. [individual debtors only] If no Social Security Number was provided as described in paragraph 2 above, it is because I do not have a Social Security Number;
- 4 I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration;
5. My electronic signature contained on the documents filed with the Bankruptcy Court has the same effect as if it were my original signature on those documents; and
6. [corporate and partnership debtors only] I have been authorized to file this petition on behalf of the debtor.

**Date**

Monday, April 19, 2021



Timothy and Renee Peters

\_\_\_\_\_

Printed name of Debtor 1 or authorized representative

Printed name of Debtor 2

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

IN RE: Peters, Timothy and Renee

Case No. BKY: 18-41882

Debtor(s),

Chapter 13 Case

UNSWORN CERTIFICATE OF SERVICE

I, Ethan J. Mustonen, Declare under penalty of perjury that on April 26, 2021, I mailed copies of the foregoing Postconfirmation Modified Chapter 13 Plan by first class mail, postage prepaid, to each entity named below at the address stated below for each entity.

United States Trustee  
1015 U.S. Courthouse  
300 South 4th Street  
Minneapolis, MN 55415

Gregory Burrell  
Chapter 13 Trustee  
100 South Fifth Street, Ste 480  
Minneapolis, MN 55402

All creditors on the attached list

Executed on: April 26, 2021

/e/ Ethan J. Mustonen

Label Matrix for local noticing  
0864-4  
Case 18-41882  
District of Minnesota  
Minneapolis  
Mon Apr 26 11:18:34 CDT 2021

U.S. Bank National Association  
14841 Dallas Parkway #425  
Dallas, TX 75254-8067

Minneapolis  
301 Diana E. Murphy U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415-1320

CenterPoint Energy  
PO Box 1700  
Houston, TX. 77251-1700  
Attn: Credit Dept. CNP-T32

Dyck-O'Neal, Inc.  
P.O. Box 601549  
Dallas, TX 75360-1549

Internal Revenue Service  
PO Box 7346  
Philadelphia PA 19101-7346

Navient  
PO Box 9500  
Wilkes Barre, PA 18773-9500

Paypal Credit  
PO Box 5138  
Timonium, MD 21094-5138

(p)US BANK  
PO BOX 5229  
CINCINNATI OH 45201-5229

Xcel Energy  
Attn: Correspondence Team  
PO box 8  
Eau Claire WI 54702-0008

Bayview Loan Servicing, LLC  
4425 Ponce De Leon Blvd. 5th Floor  
Coral Gables, FL 33146-1873

U.S. Bank National Association  
14841 Dallas Parkway, Suite 425  
Dallas, TX 75254-8067

American Coradius International LLC  
2420 Sweet Home Road Suite 150  
Amherst NY 14228-2244

City of Bloomington  
Finance Dept/Acct Division  
1800 W Old Shakopee Rd  
Bloomington MN 55431 3027

Dyck-O'Neal, Inc. as Servicer for  
Republic Credit One, L.P.  
P.O. Box 601549  
Dallas, TX 75360-1549

Law Offices of Curtis K. Walker  
4356 Nicollet Ave So  
Minneapolis, MN 55409-2033

Navient Solutions, LLC on behalf of  
Great Lakes Higher Education Guaranty Co  
GLHEC and Affiliates  
PO BOX 8961  
Madison, WI 53708-8961

Russell Hunter  
c/o MKT Law, PLC  
4927 34th Ave S  
Minneapolis, MN 55417-1552

US Bank Home Mortgage  
PO Box 21948  
Eagan MN 55121-0948

Xcel Energy North  
by American InfoSource LP as agent  
PO Box 268872  
Oklahoma City, OK 73126-8872

Bayview Loan Servicing, LLC  
4500 Park Glen Road  
Suite 300  
St. Louis Park, MN 55416-4891

U.S. Bank National Association  
Wilford Geskse & Cook, P.A.  
7616 Currell Blvd  
Suite 200  
Woodbury, MN 55125-2296

Bayview Loan Servicing, LLC  
4425 Ponce De Leon Blvd. 5th Floor  
Coral Gables, Florida 33146-1873

Community Loan Servicing, LLC  
4425 Ponce De Leon Blvd., 5th Floor  
Coral Gable, FL 33146-1873

Hennepin County Treasurer  
A600 Government Center  
300 S 6th Street  
Minneapolis, MN 55487-0999

Minnesota Department of Revenue  
551 Bkcy Section  
PO Box 64447  
St Paul MN 55164-0447

Navient Solutions, LLC. on behalf of  
Department of Education Loan Services  
PO BOX 9635  
Wilkes-Barre, PA 18773-9635

(p)SPRINT  
C O AMERICAN INFOSOURCE  
4515 N SANTA FE AVE  
OKLAHOMA CITY OK 73118-7901

US Trustee  
1015 US Courthouse  
300 S 4th St  
Minneapolis, MN 55415-3070

Andrew C. Walker  
Walker & Walker Law Offices PLLC  
4356 Nicollet Ave S  
Minneapolis, MN 55409-2033



Gregory A Burrell  
100 South Fifth Street  
Suite 480  
Minneapolis, MN 55402-1250

Renee Mary Peters  
4601 Terracewood Drive  
Bloomington, MN 55437-3445

Timothy John Peters  
4601 Terracewood Drive  
Bloomington, MN 55437-3445

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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Sprint/Nextel  
Attn: Bankruptcy Dept.  
P.O. Box 7949  
Overland Park, KS 66207

U.S. Bank National Association  
c/o U.S. Bank Home Mortgage,  
a division of U.S. Bank N.A.  
4801 Frederica Street  
Owensboro, Kentucky 42301

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Community Loan Servicing, LLC

(u)Russell J Hunter

End of Label Matrix	
Mailable recipients	32
Bypassed recipients	2
Total	34